

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	ACTION NO. 4:20-CR-269-Y
	§	
ERIC PRESCOTT KAY (1)	§	

ORDER PARTIALLY GRANTING OPPOSED MOTION TO CONTINUE

Pending before the Court is Defendant's Opposed Motion to Continue Trial and Extend Deadlines (doc. 27). The government filed a response to the motion, indicating therein that it opposes a continuance. After review of the motion, the government's response, and the applicable law, the Court concludes, under 18 U.S.C. § 3161(h)(7)(B)(iv), that a failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. As a result, the Court further concludes, under 18 U.S.C. § 3161(h)(7)(A), that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial. The Court is not, however, inclined to grant a continuance of the full sixty days' requested.

Defendant's Motion to Continue is therefore PARTIALLY GRANTED. The trial of this cause is CONTINUED until **1:30 p.m. on Monday, October 4, 2021, 2021**. The pretrial conference is CONTINUED until **3:00 p.m. on Thursday, September 30**.

The scheduling order previously issued in this cause is hereby MODIFIED as follows:

- (1) the deadline for filing pretrial motions is EXTENDED until **August 20, 2021;**
- (2) the deadline for filing witness and exhibit lists is EXTENDED until **September 28;** and
- (3) the deadline for exchanging exhibit notebooks is EXTENDED until **September 30.**

SIGNED July 28, 2021.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE